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# Milwaukee Metropolitan Sewerage District

## Notice of Public Hearing and Comment Period for Proposed Rules

Chapter 1	Design and Construction of Local Public and Private Sewers and Ancillary Facilities
Chapter 2	Management, Operations, and Maintenance of Tributary Sewers
Chapter 3	Management, Operations, and Maintenance of Tributary Sewers
Chapter 6	Administrative Review
Chapter 7	Sanitary Sewer Service Area Boundary
Chapter 11	Discharge Regulations and Enforcement Procedures
Chapter 13	Surface Water and Storm Water
Chapter 17	User Charges

The Milwaukee Metropolitan Sewerage District (District) is undertaking a comprehensive update of its rules. These rules relate to various programs. The proposed actions range from amendment to repeal and recreation, depending upon the extensiveness of the required changes.

### **Chapter 1 – Definitions**

The District is proposing repeal and recreation. The purpose is to update Chapter 1 and make it consistent with the other chapters.

### **Chapter 2 - Design and Construction of Local Public and Private Sewers and Ancillary Facilities**

The District is proposing repeal and recreation. The purpose is to reorganize the provisions into chronological order; incorporate plan review provisions from existing ch. 7 so existing ch. 7 can be repealed; and update text to address current issues.

### **Chapter 3 - Management, Operations, and Maintenance of Tributary Sewers**

The District is proposing amendments. The purpose is to change the standard for when peak flow rate reduction is required, add a requirement for emergency response plans, and correct a cross-reference.

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### **Chapter 6 - Administrative Review**

The District is proposing repeal and recreation. The purpose is to eliminate text regarding connecting to District sewers, which is covered by ch. 2. In its place, the District is establishing general procedures for administrative review.

### **Chapter 7 – Sanitary Sewer Service Area Boundary**

The District is proposing repeal and recreation. The purpose is to eliminate text regarding plan review, which is moved to ch. 2. The new subject of this chapter would be procedures for amending the sanitary sewer service area boundary and allocating the capital cost of servicing new development.

### **Chapter 11 – Discharge Regulations and Enforcement Procedures**

The District is proposing to repeal the provisions for administrative review, a topic that would be addressed by proposed ch. 6.

### **Chapter 13 – Surface Water and Storm Water**

The District is proposing amendments. The purpose is to: establish new runoff management requirements for redevelopment; address how the District considers vegetated roofs and porous pavement when determining whether site development storm water management plans are necessary; clarify the scope of review of new storm water conveyance systems; and correct the description of a channel where the District may take action to abate the regional flood.

### **Chapter 17 – User Charges**

The District is proposing amendments. The purpose is to update the process for obtaining water balance information from commercial and industrial uses and to correct obsolete references to Wisconsin Statutes.

To obtain copies of the complete proposed text and a background document, please visit [www.mmsd.com](http://www.mmsd.com) and go to the rules page. Alternatively, you may contact Mr. Thomas A. Nowicki at 414-225-2275(voice), 414-272-0270(fax), [tnowicki@mmsd.com](mailto:tnowicki@mmsd.com), or 260 West Seeboth Street, Milwaukee, Wisconsin 53204

### **Public Hearing and Comment Period**

The District welcomes comments from all interested persons. Comments may be either in writing or in person at the public hearing. The District will give comments made in writing and comments given in person equal weight. Please note that all comments become public records.

The District will hold a public hearing on Thursday, December 3, 2009, at 10:00 a.m., in the Commission Hearing Room (Room 121) of District Headquarters, 260 West Seeboth Street, Milwaukee. The hearing will continue until all interested persons have had an opportunity to comment.

Upon reasonable notice, the District will accommodate the needs of disabled individuals through appropriate aids. For additional information or to request such services, contact the Commission secretary at 414-225-2108(voice), 414-272-5227(fax), or Office of the Commission, 260 West Seeboth Street, Milwaukee, Wisconsin 53204.

Written comments are due before 4:00 p.m. on Friday, December 4, 2009. Send comments to the Milwaukee Metropolitan Sewerage District, Attention: Mr. Thomas A. Nowicki, 260 West Seeboth Street, Milwaukee, Wisconsin 53204-1446. You may also fax comments to 414-272-0270 or send comments via email to [tnowicki@mmsd.com](mailto:tnowicki@mmsd.com).

The District will include all comments in the rulemaking record. In response to the comments, the District may change the proposed rules before presenting them to the Commission for adoption. The Commission will consider the comments and the proposed response when deciding whether to adopt the proposed rules.

For judicial review of District rules, the exclusive procedure is established by sec. 200.45(1)(d), Wis. Stats. Please note that proposed rules are not a final agency decision. Proposed rules are not ripe for judicial review until adopted by the Commission.

All current District rules are available at [www.mmsd.com](http://www.mmsd.com).